

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
EVANSVILLE DIVISION

SWINGAWAY SPORTS PRODUCTS, INC.,	)	
	)	
Plaintiff,	)	
vs.	)	NO. 3:13-cv-00024-RLY-WGH
	)	
ESCALADE INCORPORATED,	)	
INDIAN INDUSTRIES, INC.,	)	
MICHAEL GUERZINI,	)	
JAMES ALLSHOUSE,	)	
DAVID FETHERMAN,	)	
	)	
Defendants.	)	

**ENTRY FOR DECEMBER 11, 2013**

**RICHARD L. YOUNG, JUDGE**

The court has been advised by counsel that a resolution has been reached in this action. Therefore, all pending motions, if any, are now **DENIED AS MOOT** and all previously ordered dates relating to discovery, filings, schedules, conferences and trial, if any, are **VACATED**.<sup>1</sup>

**IT IS ORDERED** that within forty-five (45) days of this date, counsel for the plaintiff(s) shall file a motion to dismiss this cause or a stipulation of dismissal and submit an order for the court's signature ordering the dismissal of this action (in conformance with the agreement of the parties). Failure to comply with this order will result in dismissal with prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure for failure to prosecute this action in a timely manner. Additional time to complete the execution of the

settlement document(s) may be granted if requested in writing prior to the expiration of this period of time.

Copies:

John Michael Bradshaw  
OVERHAUSER LAW OFFICES, LLC  
jbradshaw@overhauser.com

Charles Johnson Meyer  
WOODARD EMHARDT MORIARTY MCNETT & HENRY, LLP  
cmeyer@uspatent.com

Paul B. Overhauser  
OVERHAUSER LAW OFFICES, LLC  
poverhauser@overhauser.com

Eric S. Pavlack  
PAVLACK LAW LLC  
eric@pavlacklawfirm.com

<sup>1</sup> The parties are notified that any exhibits, depositions, diagrams, or other evidentiary documents previously filed with the court are now released to the parties who filed the same. If such items are not retrieved by the parties from the clerk within thirty (30) days from the dismissal of this cause, the items will be disposed of pursuant to the local rules of this court. S.D. Ind. L.R. 79.1.